NO. 85-1523

Supreme Court, U.S.
FILED
OCT 1 1984
JOSEPH F. SPANIOL, JR.
CLERK

IN THE

Supreme Court of the United States

OCTOBER TERM, 1984

EDD D. CALDWELL
PETITIONER.

V

JUDGE CRAIG T. ENOCH
TEXAS 101ST. DISTRICT COURT.

JOHN H. MARTIN
TEXAS ATTORNEY. AND

THOMPSON & KNIGHT
A PROFESSIONAL CORPORATION

RESPONDENTS.

PETITION FOR WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE FIFTH CIRCUIT

APPENDIX

PETITION FOR A WRIT OF CERTIORARI

EDD D. CALDWELL, PRO-SE
PETITIONER

13236 VALLEY FORGE CIR.
BALCH SPRINGS, TEXAS 75180
(214) 286-5123

EDITOR'S NOTE

THE FOLLOWING PAGES WERE POOR HARD COPY AT THE TIME OF FILMING. IF AND WHEN A BETTER COPY CAN BE OBTAINED, A NEW FICHE WILL BE ISSUED.

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S P E C I A L N O T I C E

THE READER IS ADVISED THAT THE OPINION, ORDERS AND JUDGMENTS AS SHOWN HEREIN ARE IN EDITED FORM AND THAT THE LEGAL AND MORAL IMPOSITIONS MAY ONLY BE OBSERVED AND APPRECIATED BY READING **THE ORIGINAL RECORD."**

COMPLAINT FILED IN

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS

EDD D. CALDWELL	:	
	:	
PLAINTIFF	:	
	:	
VS.	:	CA 3-83-2236-R
	:	
JUDGE CRAIG T. ENOCH,	:	
	:	
et al., DEFENDANTS	:	ORDER

1. JUDGE ENOCH IS ABSOLUTELY IMMUNE FROM FROM LAWSUITS FOR DAMAGES.
2. A CLAIM UNDER §1983 REQUIRES "STATE ACTION."
3. THERE ARE PEOPLE MENTIONED WHO ARE NOT NAMED DEFENDANTS.

PLAINTIFF'S COMPLAINT IS...DISMISSED.

S/ JERRY BUCHMEYER

UNITED STATES DISTRICT JUDGE

DATED: JANUARY 11, 1984.

MOTION TO AMEND UNDER 59(e) FILED IN

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS

EDD D. CALDWELL	:	
	:	

VS : CA 3-83-2236-R

JUDGE CRAIG T. ENOCH, et al., DEFENDANTS : ORDER

PLAINTIFF'S MOTION TO AMEND...IS DENIED.

S/ JERRY BUCHMEYER

UNITED STATES DISTRICT JUDGE

DATED: JANUARY 27, 1984.

APPEAL OF CA 3-83-2236-R FILED IN

FIFTH CIRCUIT COURT OF APPEALS
NEW ORLEANS, LA.

EDD D. CALDWELL

PLAINTIFF-APPELLANT

VS. : 84-1168

JUDGE CRAIG T. ENOCH, et al, DEFENDANT-APPELLEES : ORDER

ORDER OF THE TRIAL COURT IS AFFIRMED.

UNSIGNED, BEFORE GEE, POLITZ AND JOHNSON, CIRCUIT JUDGES. DATED: JUNE 20, 1984.

MOTION FOR REHEARING FILED IN

FIFTH CIRCUIT COURT OF APPEALS
NEW ORLEANS, LA.

EDD D. CALDWELL	:	
	:	
PLAINTIFF-APPELLANT	:	
	:	
VS.	:	84-1168
	:	
JUDGE CRAIG T. ENOCH,et al,DEFENDANT-APPELLEES	:	ORDER

PETITION FOR REHEARING IS DENIED.

BEFORE GEE, POLITZ AND JOHNSON, CIRCUIT JUDGES.S/ !@#%*(NOT GEE,POLITZ OR JOHNSON)

UNITED STATES CIRCUIT JUDGE

DATED: JUNE 26, 1984

APPLICATION FOR A CHANGE OF VENUE

TEXAS 101st DISTRICT COURT
DALLAS, TEXAS

EDD D. CALDWELL	:	
	:	
PLAINTIFF	:	
	:	
VS.	:	80-4993-E
	:	
BARRY W. UHR, M.D.	:	
	:	
DEFENDANT	:	ORDER

PLAINTIFF'S APPLICATION FOR CHANGE OF VENUE IS DENIED.

S/ CRAIG T. ENOCH

JUDGE PRESIDING

DATED: DECEMBER 28, 1981.

ORIGINAL PETITION FILED IN

TEXAS 101st DISTRICT COURT
DALLAS, TEXAS

EDD D. CALDWELL	:	
	:	
PLAINTIFF	:	
	:	
VS.	:	80-4993-E
	:	
BARRY W. UHR, M.D.	:	
	:	
DEFENDANT	:	ORDER

ONLY PLAINTIFF ADDUCED EVIDENCE AND JUDGE GRANTED INSTRUCTED VERDICT DIRECTING THAT:

1. PLAINTIFF TAKE NOTHING ON HIS SUIT.
2. ALL COSTS OF COURT TAXED AGAINST PLAINTIFF.

S/ CRAIG T. ENOCH

JUDGE PRESIDING

DATED: JANUARY 25, 1982.

PETITION FOR A WRIT OF ERROR FILED IN

TEXAS COURT OF APPEALS
DALLAS, TEXAS

EDD D. CALDWELL	:	
	:	
VS.	:	05-82-00130-CV
	:	

BARRY W. UHR, M. D.	:	
	:	
APPELLEE	:	OPINION

COURT DID NOT REACH ISSUE OF WRIT OF ERROR. TRIAL COURT AFFIRMED BECAUSE OF ALLEGED DEFECTS IN AFFIDAVIT FOR CHANGE OF VENUE FILED IN TRIAL COURT.

BEFORE STEPHENS, WHITHAM AND GUILLOT

S/ WARREN WHITHAM

JUSTICE

DATED: DECEMBER 30, 1982.

PETITION FOR REHEARING FILED IN
TEXAS COURT OF APPEALS
DALLAS, TEXAS

EDD D. CALDWELL	:	
	:	
APPELLANT	:	
	:	
VS.	:	05-82-00130-CV
	:	
BARRY W. UHR, M. D.		
	:	
APPELLEE	:	ORDER

UNSIGNED FORM LETTER ADVISES THAT MOTION FOR REHEARING IS OVERRULED.

DATED: JANUARY 31, 1983.

MOTION FOR LEAVE TO FILE PETITION FILED IN

THE SUPREME COURT OF TEXAS
AUSTIN, TEXAS

EDD D. CALDWELL	:	
	:	
RELATOR	:	
	:	
VS.	:	C 1932 (1983)
	:	
JUDGE CRAIG T. ENOCH	:	
	:	
RESPONDENT	:	ORDER

MOTION FOR LEAVE TO FILE OVERRULED.

S/ MARY M. WAKEFIELD

CHIEF DEPUTY

DATED: MARCH 23, 1983.

MOTION FOR REHEARING FILED IN

THE SUPREME COURT OF TEXAS
AUSTIN, TEXAS

EDD D. CALDWELL	:	
	:	
RELATOR	:	
	:	
VS.	:	C1932 (1983)
	:	
JUDGE CRAIG T. ENOCH	:	
	:	
RESPONDENT	:	LETTER

LETTER ADVISES THAT MOTION FOR REHEARING IS OVERRULED. S/ GARSON R. JACKSON, CLERK

DATED: MAY 25, 1983.

SUIT FOR DECLARATORY JUDGMENT FILED IN

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS

EDD D. CALDWELL	:	
	:	
PLAINTIFF	:	
	:	
VS.	:	CA 3-83-1084-G
	:	
JUDGE CRAIG T. ENOCH	:	
	:	
DEFENDANT	:	MEMORANDUM ORDER

ACTION INSTITUED RELYING ON 28 U.S.C. §§ 2201 AND 1343(a)(1)(2)(3)(4). JUDGE AGREES WITH DEFENDANTS - INTENT OF PLAINTIFF LIES WITHIN 42 U.S.C. §1983. JUDGE AND PRIVATE PARTIES HAVE ABSOLUTE IMMUNITY. DEFENDANT'S MOTION TO DISMISS IS GRANTED.

S/ A. JOE FISH

UNITED STATES DISTRICT JUDGE

DATED: SEPTEMBER 8, 1983.

MOTION TO AMEND UNDER 59(e) FILED IN

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS

EDD D. CALDWELL	:	
	:	
PLAINTIFF	:	
	:	
VS.	:	CA 3-83-1084-G
	:	
ENOCH	:	
	:	
DEFENDANT	:	ORDER

MOTION TO AMEND IS DENIED.

S/ A. JOE FISH

UNITED STATES DISTRICT JUDGE

DATED: SEPTEMBER 20, 1983.

PETITION FOR A WRIT OF MANDAMUS FILED IN
FIFTH CIRCUIT COURT OF APPEALS
NEW ORLEANS, LA.

EDD D. CALDWELL	:	
	:	
PETITIONER	:	
	:	
VS.	:	83-1796
	:	
JUDGE A. JOE FISH	:	
	:	
RESPONDENT	:	ORDER

PETITION TREATED AS UNTIMELY NOTICE OF APPEAL OF CA 3-83-1084-G WHICH CAUSE OF ACTION IS WELL REPRESENTED IN SUIT REPORTED 2nd BELOW THIS ONE.[See page 9a]. ALSO TREATED AS AN APPEAL IN SAME CASE AND IS THUS DENIED.

BEFORE BROWN, TATE AND HIGGINBOTHAM, CIRCUIT JUDGES. S/ ILLEGIBLE

UNITED STATES CIRCUIT JUDGE

DATED: JANRUARY 24, 1984.

MOTION TO DISQUALIFY DALLAS COUNTY CRIMINAL DISTRICT ATTORNEY HENRY WADE FROM PRACTICE OF LAW IN FEDERAL COURTS FILE IN

FIFTH CIRCUIT COURT OF APPEALS
NEW ORLEANS, LA.

EDD D. CALDWELL	:	
	:	
APPELLANT	:	
	:	
VS.	:	83-1715
	:	
JUDGE CRAIG T. ENOCH	:	
	:	
APPELLEE	:	ORDER

MOTION IN THIS CASE IS DENIED.

S/ W. EUGENE DAVIS - **S O L O**

UNITED STATES CIRCUIT JUDGE

DATED: **U N D A T E D.** FILE MARKED WITH CLERK'S STAMP APRIL 26, 1984.

APPEAL OF CA 3-83-1084-G FILED IN

FIFTHE CIRCUIT COURT OF APPEALS
NEW ORLEANS, LA.

EDD D. CALDWELL	:	
	:	
APPELLANT	:	
	:	
VS.	:	83-1715
	:	
JUDGE CRAIG T. ENOCH	:	
	:	
APPELLEE	:	ORDER

COURT REFUSES TO ACKNOWLEDGE PLAINTIFF - APPELLANT'S RELIANCE ON 28 U.S.C. §§ 2201 AND 1343(a)(1)(2)(3)(4), ALTHOUGH IT APPEARS ON COMPLAINT AND CIVIL COVER SHEET. LOWER COURT AFFIRMED.

BEFORE RUBIN, JOLLY AND DAVIS, CIRCUIT JUDGES. **U N S I G N E D - N O F I L E M A R K .**

DATED: APRIL 26, 1984.

PETITION FOR REHEARING FILED IN

FIFTH CIRCUIT COURT OF APPEALS
NEW ORLEANS, LA.

EDD D. CALDWELL	:	
	:	
APPELLANT	:	
	:	
VS.	:	83-1715
	:	
JUDGE CRAIG T. ENOCH	:	
	:	
APPELLEE	:	ORDER

PETITION FOR REHEARING IS DENIED.

BEFORE RUBIN, JOLLY AND DAVIS, CIRCUIT JUDGES.

S/ W. EUGENE DAVIS

UNITED STATES CIRCUIT JUDGE

DATED: MAY 24, 1984.

P 397 446 144

RECEIPT FOR CERTIFIED MAIL

NO INSURANCE COVERAGE PROVIDED—
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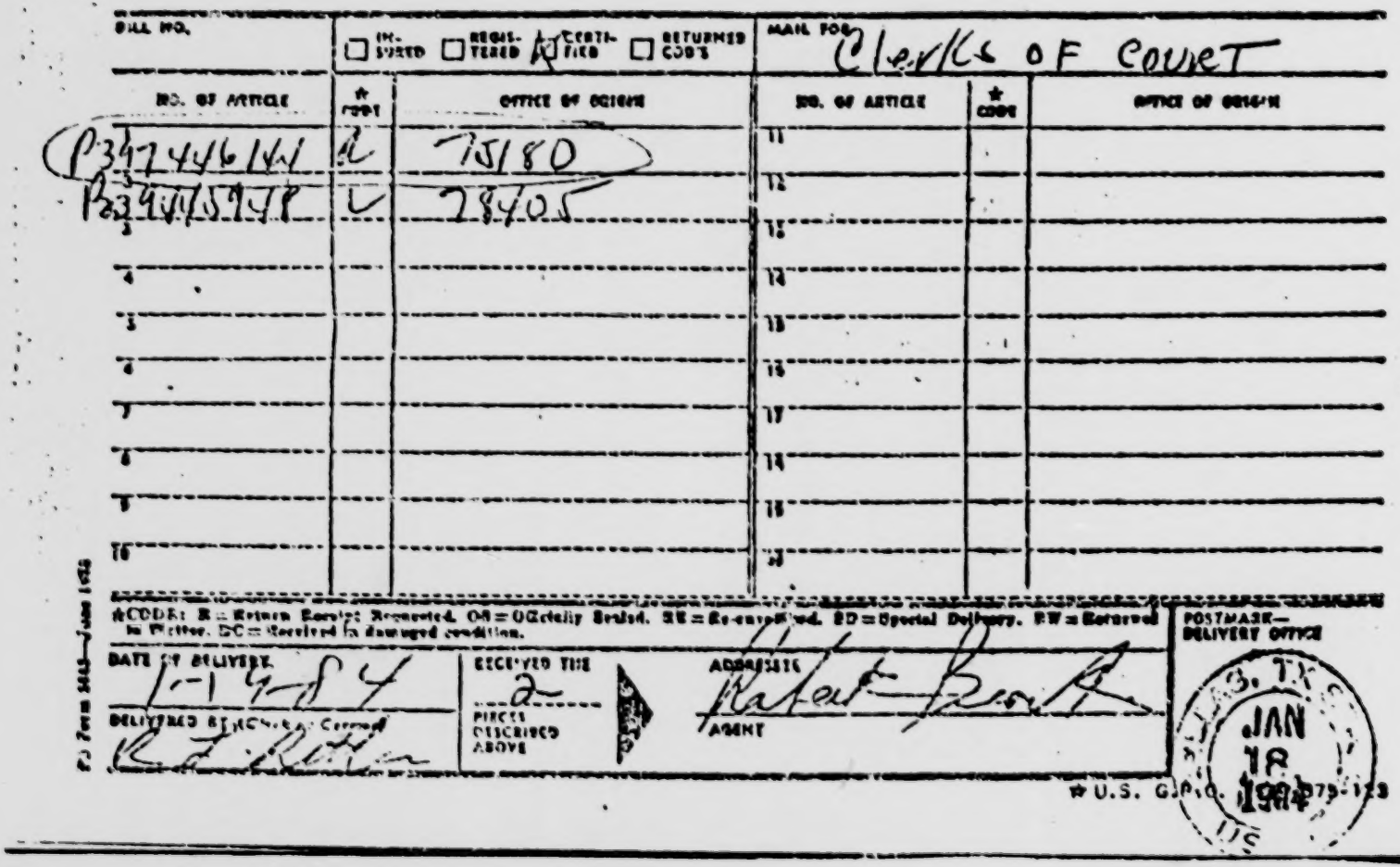
P.O., State and ZIP Code DALLAS, TX 75242	
Postage	$ 95
Certified Fee	75
Special Delivery Fee	
Restricted Delivery Fee	
Return Receipt Showing to whom and Date Delivered	60
Return Receipt Showing to whom, Date, and Address of Delivery	
TOTAL Postage and Fees	$23.0
Postmark or Date	JAN 11 1984

PS Form 3800, Feb. 1982



BILL NO.

☐ INSURED ☐ REGISTERED ☒ CERTIFIED ☐ RETURNED C.O.D.'S

MAIL FOR Clerks OF COURT

NO. OF ARTICLE	* CODE	OFFICE OF ORIGIN	NO. OF ARTICLE	* CODE	OFFICE OF ORIGIN
1 P 347 446 141	R	75180	11		
2 P 347 445 948	R	78705	12		
3			13		
4			14		
5			15		
6			16		
7			17		
8			18		
9			19		
10			20		

*CODES: R = Return Receipt Requested. OA = OActually Sealed. RE = Re-enveloped. SD = Special Delivery. RW = Returned to Writer. DC = Received in damaged condition.

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AGENT

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U.S. TX

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* U.S. G.P.O. 1979-[illegible]

12a

pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September, 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet.

PLAINTIFFS

EDD D. CALDWELL

COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF DALLAS
(EXCEPT IN U.S. PLAINTIFF CASES)

DEFENDANTS

HON. CRAIG T. ENOCH

CA 3 83-1084 G

COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT DALLAS
(IN U.S. PLAINTIFF CASES ONLY)
NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED

ATTORNEYS (FIRM NAME, ADDRESS, AND TELEPHONE NUMBER)

EDD D. CALDWELL Pro-SE
13236 VALLEY FORGE CIR
BALCH SPRINGS, TX 75180 (214) 286-5123

ATTORNEYS (IF KNOWN)

UNKOWN

(PLACE AN ☒ IN ONE BOX ONLY)

BASIS OF JURISDICTION

☒ 1 U.S. PLAINTIFF ☒ 2 U.S. DEFENDANT ☒ 3 FEDERAL QUESTION (U.S. NOT A PARTY) ☐ 4 DIVERSITY

IF DIVERSITY, INDICATE CITIZENSHIP BELOW. (28 USC 1332, 1441)

CAUSE OF ACTION (CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE).

28 U.S.C. 1343(3) AND 28 U.S.C. 2201
FAILURE TEXAS COURTS TO RULE ON WRIT OF ERROR